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(908) 298-4000

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FROM:

Thomas A. Blinka

PHONE NUMBER:

(908) 298-6791

TOTAL NO. OF PAGES INCLUDING COVER

17

DATE

November 28, 2005

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PLEASE HAND DELIVER

In re Application of: Neng-Yang Shih *et al.*
For Patent entitled: "NK₁ ANTAGONISTS"
Filed: 07/02/2003
Attorney Docket No.: CN01576K1US
Serial No.: 10/612,176

Transmitted herewith are:

- Fax Cover Sheet – 1 Page
- Certificate of Transmission PTO/SB/97 – 1 Page
- Transmittal Form PTO/SB/21 – 1 Page
- Fee Transmittal PTO/SB/17 – 1 Page in duplicate
- Petition Under 37 C.F.R. § 1.47 – 2 Pages
- Copy of original Executed Declaration – 4 Pages
- Copy of partially Executed Declaration originally filed – 4 Pages
- Copy of letters to Steven Wang (without declaration) – 2 Pages



Thomas A. Blinka
Registered Representative
Registration No. 44,541

PHONE: (908) 298-6791

FAX: (908) 298-5388

PAGE 1/17 * RCVD AT 11/28/2005 1:20:33 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/26 * DNIS:2738300 * CSID:908 298 5405 * DURATION (mm-ss):04-18

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Docket Number: CN01576K1
Application No: 10/612176
Filing Date: 07/02/2003
First Inventor: SHIH, Neng-Yang

PTO/SB/97 (09-04)
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44541

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- Petition Under 37 C.F.R. § 1.47 - 2 Pages
- Copy of original Executed Declaration - 4 Pages
- Copy of partially Executed Declaration originally filed - 4 Pages
- Copy of letters to Steven Wang (without declaration) - 2 Pages

This collection of Information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/612176	
	Filing Date	07/02/2003	
	First Named Inventor	SHIH, Neng-Yang	
	Art Unit	1625	
	Examiner Name	CHANG, Celia C	
Total Number of Pages in This Submission	17	Attorney Docket Number	CN01576K1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): See remarks below.
Remarks Copy of Original Exec. Decl. (4 pgs.); Copy of partially Exec. Decl. (4 pgs.); Copy of letters to Steven Wang - without declaration (2 pgs.)		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Customer No: 24265	
Signature	<i>Thomas A. Blinka</i>	
Printed name	THOMAS A. BLINKA	
Date	November 28, 2005	Reg. No. 44541

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature		
Typed or printed name		Date 11/28/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/612176
TOTAL AMOUNT OF PAYMENT (\$) 130.00		Filing Date	07/02/2003
		First Named Inventor	SHIH, Neng-Yang
		Examiner Name	CHANG, Celia C
		Art Unit	1625
		Attorney Docket No.	CN01578K1

METHOD OF PAYMENT (check all that apply)

☐ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify): _____

☒ Deposit Account
 Deposit Account Number: 19-0365
 Deposit Account Name: Schering-Plough Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
 ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17
 ☒ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims: _____ - 20 or HP = _____ x _____ = _____
 HP = highest number of total claims paid for, if greater than 20

Indep. Claims: _____ - 3 or HP = _____ x _____ = _____
 HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
_____ - 100 = _____	_____ / 50 = _____	_____ (round up to a whole number)	_____ x _____ = _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Petition Under 37 C.F.R. §1.47

Fees Paid (\$) 130.00

SUBMITTED BY		Registration No.	Telephone
Signature	THA. BLINKA	(Attorney/Agent) 44541	908-298-6791
Name (Print/Type)	THOMAS A. BLINKA	Date	11/28/2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Schering-Plough**

Direct Dial: (908) 298-5041
Email: henry.jeanette@spcorp.com

Schering-Plough Corporation
Patent Department K-6-1 1990
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530
Telephone (908) 298-4000
Telefax (908) 298-5388

Ref: 5828-Henry C. Jeanette-908Data 25NOV03 SHIPPING \$5.62
Dept: Law Department - Patents Wgt: 1.15 LBS SPECIAL \$0.17
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TOTAL \$5.79

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TRACK: 6210 7032 9980

November 24, 2003

VIA FEDERAL EXPRESS

Steven Wang
30 Newport Parkway
Jersey City, NJ 07310

Re: U.S. Patent Application: NK₁ ANTAGONISTS
Inventors: Neng-Yang Shih, et al.
Our Case No. CN01576K1


Dear Steven:

On July 2, 2003, the above-noted patent application was filed with the United States Patent and Trademark Office. Per USPTO requirements, an executed Declaration and Power of Attorney and an executed Assignment need to be submitted. These documents are enclosed for your signature (blue ink please). Note that the Assignment document requires notarization at the time of signature. Schering-Plough will reimburse you for any costs incurred in processing these documents.

For your reference, I have enclosed a copy of the specification as filed. If you believe any changes to this specification are needed, please contact me before signing the enclosed documents.

Kindly return all executed documents to me in the enclosed Federal Express envelope at your earliest convenience. If you have any questions, please feel free to contact me. Thank you in advance for your assistance.

Very truly yours,


Henry C. Jeanette
Senior Patent Counsel

HCJ:lr
Enclosures

**Schering-Plough**

Direct Dial: (908) 298-5041
Email: henry.jeanette@spcorp.com

Schering-Plough Corporation
Patent Department K-6-1 1990
2000 Galloping Hill Road
Kenilworth, New Jersey 07033-0530
Telephone (908) 298-4000
Telefax (908) 298-5388

Ref: 5826-Henry C. Jeanette-908 Date: 19JAN04 SHIPPING \$6.65
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HANDLING \$0.00

TOTAL \$6.95

January 19, 2004

SERVICE: PRIORITY OVERNIGHT
TRACK: 6210 7033 4076

VIA FEDERAL EXPRESS

Steven Wang
30 Newport Parkway
Suite #2915
Jersey City, NJ 07310

Re: U.S. Patent Application: NK₁ ANTAGONISTS
Inventors: Neng-Yang Shih, et al.
Our Case No. CN01576K1

Dear Steven:


On July 2, 2003, the above-noted patent application was filed with the United States Patent and Trademark Office. Per USPTO requirements, an executed Declaration and Power of Attorney and an executed Assignment need to be submitted. These documents are enclosed for your signature (blue ink please). Note that the Assignment document requires notarization at the time of signature. Schering-Plough will reimburse you for any costs incurred in processing these documents.

We are resending it for your review and signature because we have not yet received executed copies.

For your reference, I have enclosed a copy of the specification as filed. If you believe any changes to this specification are needed, please contact me before signing the enclosed documents.

Kindly return all executed documents to me in the enclosed Federal Express envelope at your earliest convenience. If you have any questions, please feel free to contact me. Thank you in advance for your assistance.

Very truly yours,


Henry C. Jeanette
Senior Patent Counsel

HCI:lr
Enclosures